

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES LEE DAVIS,)
)
Plaintiff,) Civil Action No. 16-139
)
v.) Judge Cathy Bissoon
) Magistrate Judge Maureen P. Kelly
WILKINSBURG POLICE)
DEPARTMENT, et al.)
)
)
Defendants.)

MEMORANDUM ORDER

This case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On October 17, 2016, the Magistrate Judge issued a Report (Doc. 46) recommending that Plaintiff's Complaint be dismissed with prejudice for failure to prosecute. A copy of the Report and Recommendation was sent via first class mail to Plaintiff at his address of record, the Allegheny County Jail. On October 31, 2016, the Court received notice that Plaintiff was released from the Allegheny County Jail. Accordingly, the Court sent a copy of the Report and Recommendation to the two forwarding addresses that Plaintiff provided to the Allegheny County Jail upon his release, and issued an order extending the deadline to file objections to the Report and Recommendation to November 15, 2016. As of the date of today's Order, no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, IT IS HEREBY ORDERED that Plaintiff's Complaint is DISMISSED with

prejudice. The Magistrate Judge's Report and Recommendation dated October 17, 2016, hereby is adopted as the Opinion of the District Court. A judgment order pursuant to Federal Rule of Civil Procedure 58 will follow.

IT IS SO ORDERED.

November 17, 2016

s/Cathy Bissoon

Cathy Bissoon
United States District Judge

Cc (via ECF email notification):

All counsel of record

(via first class mail):

JAMES LEE DAVIS
303 South Trenton Avenue, Apt. #3
Pittsburgh, PA 15221

JAMES LEE DAVIS
504 South Avenue, Apt. #3
Wilkinsburg, PA 15221